

# EXHIBIT 7

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION  
---oo---  
SYSTEMS, INC., et al., Case No.  
Plaintiffs, 6:15-CV-163-JDL  
CENT, INC., et al.,  
Defendants.

18 DEPOSITION OF RICH SEIFERT  
19 Menlo Park, California  
20 Tuesday, February 2, 2016  
21 Volume I

23      Reported by:  
          THOMAS J. FRASIK  
24      RPR, CSR No. 6961  
          Job No: 2227976  
25      Pages: 1 - 128

1	UNITED STATES DISTRICT COURT	1	Appearances, Continued:
2	FOR THE EASTERN DISTRICT OF TEXAS	2	
3	TYLER DIVISION	3	
4	---oo---	4	For the Defendant AMX:
5	CHRIMAR SYSTEMS, INC., et al.,	5	McDERMOTT WILL & EMERY LLP
6	Plaintiffs, 6:15-CV-163-JDL	6	BY: BRENT A. HAWKINS
7	vs	7	Attorney At Law
8	ALCATEL-LUCENT, INC., et al.,	8	227 West Monroe Street
9	Defendants.	9	Chicago, Illinois 60606
10	_____	10	312-984-7764
11	CHRIMAR SYSTEMS, INC., et al.,	11	bhawkins@mwe.com
12	Plaintiffs, 6:15-CV-164-JDL	12	
13	vs	13	
14	AMX,	14	
15	Defendant.	15	
16	_____	16	
17		17	
18	Deposition of RICH SEIFERT, VOLUME I, at	18	
19	275 Middlefield Road, Menlo Park, California, beginning	19	
20	at 9:15 a.m., and ending at 1:00 p.m., on Tuesday,	20	
21	February 2, 2016, before Thomas J. Frasik, Registered	21	
22	Professional Reporter, Certified Shorthand Reporter	22	
23	No. 6961.	23	
24		24	
25		25	
	Page 2		Page 4
1	Appearances of Counsel:	1	I N D E X
2		2	RICH SEIFERT, VOLUME I EXAMINATION
3		3	
4	For the Plaintiff Chrimar Systems, Inc.:	4	BY MR. WYNNE 7
5	THOMPSON & KNIGHT LLP	5	BY MR. CRAVEY 124
6	BY: RICHARD L. WYNNE, JR.	6	
7	Attorney At Law	7	
8	1722 Routh Street, Suite 1500	8	
9	Dallas, Texas 75201	9	
10	214-969-1386	10	INSTRUCTIONS NOT TO ANSWER/REFUSALS TO ANSWER:
11	richard.wynne@tklaw.com	11	
12		12	Page Line
13		13	(None)
14	For the Defendants Alcatel-Lucent USA, Inc.,	14	
15	Alcatel-Lucent Holdings, Inc.,	15	
16	and ALE USA, Inc.:	16	
17	WILLIAMS MORGAN P.C.	17	
18	BY: CHRIS CRAVEY	18	
19	Attorney At Law	19	
20	710 North Post Oak Road, Suite 350	20	
21	Houston, Texas 77024	21	
22	713-934-7000	22	
23	cravey@wmlaw.com	23	
24		24	
25		25	
	Page 3		Page 5

1 Q. You have a discussion of "path coupled across"  
2 beginning on page 32 of your declaration; right?  
3 A. Right.  
4 Q. And in paragraph 105, you state that "The plain  
5 and ordinary meaning of 'path' as used in the claims is  
6 the route or course over which the signal travels."  
7 Right?  
8 A. Right.  
9 Q. So the path is a physical thing; right?  
10 A. A path is a characteristic of a physical thing.  
11 Q. What do you mean by that?  
12 A. The path is the route taken by the signal and  
13 that route goes through physical things.  
14 Q. Okay. What does it mean to be "coupled" in the  
15 context of the patents-in-suit?  
16 A. I actually like Mr. Baxter's reference where he  
17 says it means to be able to get energy from one point to  
18 another.  
19 (As I say in paragraph 107, a coupling or  
20 coupled circuit can be -- yes, you want to define it as  
21 allowing energy transfer between points along the path.  
22 I think that's a good use of -- that's a good sense of  
23 "coupling" in the context of these claims.  
24 Q. Now, is a route that a DC signal travels, is  
25 that a path?

Page 78

1 that Mr. Bluestone used in the deposition of Mr. Baxter.  
2 A. I'd have to check a wiring sample to see what  
3 the numbering is.  
4 Q. Okay. I don't think it will matter for  
5 purposes of our discussion today whether they're  
6 labeled left to right or right to left.  
7 If I could have you turn over to page 2 of  
8 Exhibit 10? You see I've gone ahead and drawn a very  
9 rudimentary circuit between contact 1 and contact 8, do  
10 you see that?  
11 A. Yes.  
12 Q. And in-between contact 1 and contact 8, I've  
13 included a resistor; right?  
14 A. Yes.  
15 Q. Does the diagram on figure 2 show a path  
16 coupled across contacts 1 and 8?  
17 A. Depends on the value of the resistor.  
18 Q. In what way?  
19 A. If the value of the resistor were high enough,  
20 a person of ordinary skill would not consider that a  
21 path coupled across.  
22 Q. And why is that?  
23 A. Because while there is, in theory, a resistance  
24 and some current can flow through that path, it might be  
25 infinitesimal in the context of how it's being used and

Page 80

1 A. A DC signal can travel along a path.  
2 Q. Okay. How about an AC signal; can it travel  
3 along a path?  
4 A. An AC signal can travel along an appropriate  
5 path.  
6 Q. All right. I've got a series of diagrams that  
7 I'd like to show you. We'll go ahead and mark this as  
8 Exhibit 10.  
9 (Deposition Exhibit 10 was marked  
10 for identification.)  
11 BY MR. WYNNE:  
12 Q. I thought I'd go ahead and premark these  
13 diagrams rather than having you draw each of these.  
14 A. Okay.  
15 Q. So if you take a look at Exhibit 10, on page 1  
16 of Exhibit 10, do you have an understanding of what I'm  
17 trying to represent here?  
18 A. It appears to be an outline of an RJ45 jack.  
19 Q. And would you understand that the little lines  
20 marked 1 through 8 would be representative of the  
21 contacts of an RJ45 jack?  
22 A. That's my understanding. I don't know if you  
23 have the numbering -- if it's right to left or left to  
24 right.  
25 Q. I don't know either. I'm using the same one

Page 79

1 would be ignored.  
2 Q. For there to be a path, does current actually  
3 have to be flowing?  
4 A. In what context?  
5 Q. In the context of a path coupled across.  
6 A. In Claim 1 of the '107?  
7 Q. Sure.  
8 A. Okay. So in Claim 1 of the '107, we need a  
9 path coupled across, and then '107 later requires  
10 current to go through the path coupled across.  
11 Q. That's your opinion. I'm talking about "path."  
12 For there to be a path, does there have to be current  
13 flowing?  
14 A. No.  
15 Q. Okay. So going back to page 2 of Exhibit 10,  
16 regardless of whether any current is flowing, does  
17 page 2 of the diagram, the diagram in page 2 disclose  
18 a path coupled across contacts 1 and 8?  
19 A. Again, if the resistor is so high that no  
20 appreciable current could ever flow, one would not  
21 consider that to be a path. If that was -- if the  
22 resistor was a piece of high-grade foam/plastic, yeah,  
23 it has a measurable resistance in the hundreds of  
24 megaohms or thousands of megaohms or something like that  
25 and you could legally draw it like this, but I don't

Page 81

1 Q. Okay. But a person of ordinary skill in the  
2 art would understand that protocol in the context of  
3 data communications means something; right?

4 A. Yes.

5 Q. Now, the patents-in-suit contain discussions  
6 about "detection," don't they?

7 A. Yes. Yes, the patents discuss -- both the  
8 specification and the claims discuss detection.

9 Q. And the detection techniques that are discussed  
10 are in the context of data communications through a  
11 network; right?

12 A. Sort of. What the teaching of the patents  
13 is, is the super position of a proprietary data  
14 communication protocol, if you will, that is being  
15 superimposed on top of an existing ethernet data  
16 communication protocol or a physical media system that  
17 is supporting an ethernet data communication protocol.

18 Q. And it's that technique that is used for  
19 detection; right?

20 A. The technique taught in the patents is used to  
21 detect certain characteristics of the remote module.

22 Q. Okay. Now, you have some opinions regarding a  
23 claim term called "loop formed over," do you not?

24 A. I'm sure I do. Can you point me to where  
25 you're looking?

Page 110

1 terms.

2 Q. Okay.

3 A. So you've got a loop, a round trip path, a  
4 circuit that is -- that is formed through one conductor  
5 of one of your selected pairs, and at least one -- at  
6 least one conductor is from a first pair and at least  
7 one conductor a second pair. So the circuit isn't  
8 within a single pair, but between at least one conductor  
9 of the first pair and at least one conductor of the  
10 second pair, but it's a circuit, it's a round trip.

11 Q. And what do you mean by a "circuit"?

12 A. A round trip path through which current can  
13 flow. Current always flows from a source to a sync.  
14 The circuit is the path from the source to the sync.

15 Q. Okay. Like we did before, I've gone ahead and  
16 made some diagrams. Let's go ahead and mark these  
17 Exhibit 11; is that right?

18 THE REPORTER: 11.

19 (Deposition Exhibit 11 was marked  
20 for identification.)

21 BY MR. WYNNE:

22 Q. So on the first page of Exhibit 11, I have two  
23 boxes. One is labeled Central Module and the other is  
24 labeled Remote Module. Within the central module, a  
25 battery is shown, within the remote module, a resistor

Page 112

1 Q. Sure. It begins on page 37 of your  
2 declaration.

3 A. All right.

4 Q. You see that?

5 A. Yes.

6 Q. And the term "loop formed over" appears only in  
7 the claims of the '760 Patent; right?

8 A. I believe that's correct, and I recite it here  
9 in paragraph 115.

10 Q. And that's Claim 1 of the '760 Patent that  
11 you're referring to?

12 A. Right.

13 Q. And, in particular, if we go down to the sixth  
14 paragraph of the claim, it says "The piece of BASE-T  
15 ethernet terminal equipment having at least one path to  
16 draw different magnitudes of current flow from the at  
17 least one DC supply through a loop formed over at least  
18 one of the conductors of the first pair and at least one  
19 of the conductors of the second pair." Do you see that?

20 A. Yes.

21 Q. Okay. What does "loop formed over" mean in the  
22 context of the '760 Patent?

23 A. I believe it means you've got a complete  
24 circuit, you've got a loop, which is a circuit, in  
25 Mr. Baxter's terms, a round trip path, I like those

Page 111

1 is shown, and there are lines connecting the two modules  
2 together. Do you see that?

3 A. I see that.

4 Q. Do you have an understanding of what is  
5 represented by this diagram?

6 A. Again, assuming that the resistor is within  
7 some practical range.

8 Q. Okay. All right.

9 And if we say that this line that goes from the  
10 central module to the remote module is a conductor, and  
11 the line going from the remote module back to the  
12 central module is another conductor, does figure 1  
13 disclose a loop formed over those conductors?

14 A. Figure 1 discloses a loop formed over those  
15 conductors. But the claim requires more than that.

16 Q. I understand. I'm asking about loop formed  
17 over.

18 A. Yes, there is a complete round trip circuit.

19 Q. Right. So it's a complete --

20 A. For continuous DC, as shown.

21 Q. Okay. And that's the question.

22 Does loop formed over the conductor -- strike  
23 that.

24 Page 1 of Exhibit 11 shows a complete circuit;  
25 correct?

Page 113

1 a claim construction, I have to accept it.  
2 Q. And when you say "accept it," what do you mean?  
3 A. I have to use that construction in forming my  
4 opinions.  
5 MR. CRAVEY: No further questions.  
6 MR. HAWKINS: No questions from me.  
7 MR. WYNNE: Okay. Thank you.  
8 (TIME NOTED: 12:58 p.m.)  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page 126

1 DEPOSITION REPORTER'S CERTIFICATION

2  
3 I, the undersigned, a California Certified  
4 Shorthand Reporter, do hereby certify:  
5 That the foregoing proceedings were taken  
6 before me at the time and place herein set forth, at  
7 which time the witness was administered the oath; that  
8 the testimony of the witness and all objections made by  
9 counsel at the time of the proceedings were recorded  
10 stenographically by me, and were thereafter transcribed  
11 under my direction; that the foregoing transcript  
12 contains a full, true, and accurate record of all  
13 proceedings.

14 I further certify that I am neither financially  
15 interested in the action nor a relative or employee of  
16 any attorney or party to this action.

17 IN WITNESS WHEREOF, I have this date subscribed  
18 my name.

19 Dated: 2/16/16

20

21

22

23

24

25

*Thomas J. Frasik*

THOMAS J. FRASIK, CSR No. 6961

VERITEXT LEGAL SOLUTIONS

Firm Registration No. 571

Phone: 817-336-3042

Page 128

1 ---00o---

2  
3 I, RICH SEIFERT, declare under penalty of  
4 perjury, under the laws of the State of California, that  
5 I have read the foregoing transcript, that I have made  
6 any corrections as appear noted, in ink, initialed by  
7 me, or attached hereto; that my testimony, as contained  
8 herein, is true and correct.

9  
10 EXECUTED ON \_\_\_\_\_, 2016, AT  
11 \_\_\_\_\_, \_\_\_\_\_.

12  
13 SIGNATURE OF THE WITNESS:

14  
15  
16  
17 RICH SEIFERT  
18  
19  
20  
21  
22  
23  
24  
25

Page 127

1 CHANGES AND SIGNATURE  
2 TO THE ORAL DEPOSITION OF  
3 RICH SEIFERT  
4 FEBRUARY 2, 2016

5 PAGE LINE CHANGE REASON

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page 129

33 (Pages 126 - 129)